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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,061	12/18/2001	Ira Cohen	10006656	8586
7590	08/31/2006		EXAMINER	
HEWLETT-PACKARD COMPANY Intellectual Property Administration P.O. Box 272400 Fort Collins, CO 80527-2400			BARQADLE, YASIN M	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 08/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/026,061	COHEN ET AL.	
	<b>Examiner</b> Yasin M. Barqadle	<b>Art Unit</b> 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 05/12/2006.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 11-29 is/are pending in the application.  
4a) Of the above claim(s) 1-10 is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 11-29 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

***Continued Examination Under 37 CFR 1.114***  
**1.**

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office Action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 12, 2006 has been entered.

***Response to Amendment***

The amendment filed on May 12, 2006 has been fully considered but are not persuasive.

- Claim 1-11 have been cancelled
- New claims 11-29 have been currently.
- Claims 11-29 are pending.
- 

***Response to Arguments***

Applicant's arguments have been fully considered. The examiner has attempted to answer (respond) to the remarks (arguments) in the body of the Office Action.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 11-16, 18-26 and 28-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Thiesson et al US. Patent No. (6807537).

As per claim 11, Thiesson et al teach a method for adapting a Bayesian network that models an environment (abstract), comprising:

obtaining a set of present observation data from the environment (col. 29, lines 36-55, the decision graphs are adjusted to better reflect the data);

updating a set of parameters of the Bayesian network in response to the present observation data using a learning rate that indicates a relative weight of the present observation data and a set of past observation data pertaining to the environment (col. 29, lines 36-55 and col. 32, lines 43-67, the Bayesian network is scored for how well the decision graphs reflect data, this is in part responsive to a learning rate indicating a relative weight of the previous as well as the current data sets).

As per claim 12, Thiesson et al teaches the method of claim 11, wherein updating comprises updating the parameters using a different learning rate for each parameter of the Bayesian network (col. 8, lines 5-36.)

As per claim 13, Thiesson et al teaches the method of claim 11, further comprising determining the learning rate by determining

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an initial value for the learning rate (col. 21, lines 27-65 and col. 29, line 36 - col. 30 line 21) and determining an estimate of the parameters in response to the present observation data (col. 21, lines 27-65 and col. 29, line 36 - col. 30 line 21) and increasing the learning rate if an error between the estimate and a mean value of the parameters is relatively large (col. 15, line 55 - col. 16, line 67 and col. 20, line 66 - col. 21, line 55.)

As per claim 14, Thiesson et al teaches the method of claim 11, further comprising determining the learning rate by determining an initial value for the learning rate (col. 29, lines 36-55) and determining an estimate of the parameters in response to the present observation data (col. 21, lines 27-65, col. 29, line 29 - col. 30 line 21 and col. 32, lines 48-67) and decreasing the learning rate when convergence is reached between the estimate and a mean value of the parameters (col. 15, line 55 - col. 16, line 67 and col. 20, line 66 - col. 21 line 55.)

As per claim 15, Thiesson et al teaches the method of claim 11, wherein a subset of values in the present observation data is unavailable when updating (col. 9, lines 8-23.)

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As per claim 16, Thiesson et al teaches the method of claim 11, wherein the environment is an online environment (refer to Fig. 28, col. 21, lines 27-65 and col. 29, line 36 - col. 30, line 29.)

As per claim 18, Thiesson et al teaches the method of claim 16, wherein the online environment is an e-commerce System (col. 31, lines 7-47.)

As per claim 19, Thiesson et al teaches the method of claim 16, wherein the online environment is a database system (col. 4, lines 8-23).

As per claim 20, Thiesson et al teaches the method of claim 11, wherein updating comprises determining an initial set of the parameters and then updating the parameters in response to the present observation data using the learning rate (col. 12, lines 14-61 and col. 24, lines 36-67).

Claims 21-26 and 28-29 do not present further limitations above claims 11-16, and 18-20 above, therefore, they are rejected for similar reasons.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 17 and 27, are rejected under 35 U.S.C. 103(a) as being unpatentable over Thiesson et al US. Patent No. (6807537) and in view of Horvitz U.S. Patent No. (6182133).

As per claim 17 and 27 Thiesson et al teaches the invention as discussed above. Thiesson et al does not explicitly teach wherein the online environment is an email system.

Horvitz teaches initiating multiple tasks to pre-fetch variables by including sending and receiving e-mail messages (col. 36, lines 14-28)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the teaching of Horvitz into the system of Thiesson et al in order to increase expandability. Horvitz provides for a collection of

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data sets from multiple sources to continually compute variables. Allowing the system to use disparate sources would increase system operability and greatly facilitate system expansion.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained form the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or public PAIR system.

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Status information for unpublished applications is available through private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YB

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ABDURRAHIM SALAD  
PRIMARY EXAMINER